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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Shlomo Touboul

FIN0006

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1700 Pennsylvania Ave, NW
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EXAMINER

ANWARI, MACEEH

ART UNIT

PAPER NUMBER

2444

MAIL DATE

DELIVERY MODE

09/01/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. This Office Action is in response to the communication filed on 4/24/2009.

Election/Restrictions

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. **Claims 1-18 and 19-36**, are drawn to monitoring e-mail messages transmitted from senders to recipients for detection of e-mail messages having the electronic document embedded therewithin or attached thereto, based on the unique identifier, in order to limit access of the electronic document to authorized recipients, classified in class 709, subclass 206.
- II. **Claims 38-47 and 48-57**, are drawn to monitoring transmitted network packets, for detection of network packets containing the electronic document, based on the unique identifier, in order to limit access of the electronic document to authorized recipients, classified in class 370, subclass 229.
- III. **Claims 59, 61- 66 and 67, 69-74**, are drawn to scanning intercepted e-mail messages for the detection of specified electronic document embedded therein or attached thereto and examining a policy to determine whether or not transmission of the document to a recipient is permitted, if said scanning detects an e-mail message having the electronic document embedded therein or attached thereto; and causing transmission of the document to the recipient to be blocked, if said examining determines that transmission is not permitted, classified in class 709, subclass 207.

- IV. **Claims 76, 78- 82 and 83, 85- 89**, are drawn to scanning intercepted network packets containing a specified electronic document and examining a policy to determine whether or not transmission of the document to a recipient is permitted, if said scanning detects an e-mail message having the electronic document embedded therein or attached thereto; and causing transmission of the document to the recipient to be blocked, if said examining determines that transmission is not permitted, classified in class 370, subclass 351.

Inventions I, II, III and IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination I has a separate utility such as monitoring e-mail messages transmitted from senders to recipients; and subcombination II has separate utility such as monitoring transmitted network packets; and subcombination III has separate utility such as monitoring e-mail messages and examining a policy to determine whether or not transmission of the document to a recipient is permitted; and subcombination IV has separate utility such as scanning network packets and examining a policy to determine whether or not transmission of the document to a recipient is permitted. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the

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allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions

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unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MACEEH ANWARI whose telephone number is (571)272-7591. The examiner can normally be reached on Monday-Friday 7:30-5:00 PM ES.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2444